

REMARKS

A petition and fee for a one-month extension of time to reply to the pending Office Action is being submitted concurrently herewith.

An information disclosure statement is being submitted concurrently herewith. WO 01/93342 is the PCT version of DE-U 201 08 013 cited in the Specification at page 1, line 15. US 2003/0006469 is the English language counterpart of WO 01/93342.

A substitute specification has been submitted to correct several informalities, typographical errors, in particular subscripting in the formulas, and to address the Examiner's objections. The formula subscripting has also been amended to make it consistent with the general formula  $[A_{3-a}KA_a]_A[B_{5-b-x}KB_bSi_x]_B[O_{12-z}KC_z]_O:D$ . In particular, "a" has been used in the formulas in reference to the proportion of KA, "b" in reference to KB, and "s" in reference to KC. The Applicants would like to further point out that subscripts "A," "B," and "O" refer to the lattice sites for constituents A, B, and O in the formula and is consistent with Kröger-Vink notation. *See, e.g.*, Specification at page 4, lines 5-10, page 7, lines 20-37, and page 8, lines 7-20. The Applicants respectfully assert that no correction is necessary in this regard.

A particular error in a few of the formulas that has been corrected was the omission of the "3" subscript with regard to the A component in the general  $A_3B_5O_{12}:D$  garnet structure. This error has been corrected and the formulas are now in agreement with the formulas/notation found in the corresponding description, Figures and Tables. Further support for these amendments can be found in the Specification as filed, in particular, with reference to the original specification, page 6, lines 4-18. Thus, the Applicants respectfully assert that no new matter has been added.

The text of original claims 1 and 8 has been incorporated into the Specification. Fig. 19 has been amended to change the reference numbers and the Specification has been amended to reflect the change in numbering. A reference to item 53 has been added to the Specification. Item 53 (formerly 23) clearly pointed to the wall of the lamp. Therefore, no new matter has been added.

An accurate English language translation of the German priority document (DE 10360546.0) filed 12/22/2003 is attached for the purpose of establishing the Applicants' priority claim. The December 22, 2003 priority date of the instant application is prior to the August 4, 2004 filing date of U.S. 2005/0093431 A1 to Hancu et al. Thus, the Applicants respectfully assert that Hancu et al. is not prior art.

Claims 1-15 have been canceled and claims 16-39 have been added. The new claims have been written in a manner to address the Examiner's 112, 2<sup>nd</sup> paragraph, rejection of claims 1, 5, 7 and 10-13.

The Applicants respectfully assert that the new claims are patentable over the cited prior art. New independent claims 16 and 31 concern charge compensation at lattice site O, which the Applicants believe was indicated as patentable by the Examiner, particularly as none of the applied references teaches or suggests charge compensation at lattice site O. New independent claim 26 corresponds generally to original claim 13 which the Examiner also indicated would be patentable.

In view of the foregoing amendment, it is believed that the Examiner's rejections have been overcome and that the application is in condition for allowance. Such action is earnestly solicited.

Respectfully submitted,

/RFClark/

Robert F. Clark  
Reg. No. 33,853

OSRAM SYLVANIA Inc.  
100 Endicott St.  
Danvers, MA 01923